

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
 E/S Owings Mills Boulevard, \*  
 S of Ashley Way \* ZONING COMMISSIONER  
 (11767 Owings Mills Boulevard) \*  
 4th Election District \* OF BALTIMORE COUNTY  
 4th Councilmanic District \*  
 \* Case No. 96-86-X  
 State of Maryland, Maryland Public  
 Broadcasting Commission, Owners;  
 American PCS, L.P., Contract Lessee - Petitioners  
 \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for that property known as 11767 Owings Mills Boulevard, located in the vicinity of Gwynnbrook Avenue in Owings Mills. The Petition was filed by the owner of the property, the State of Maryland, Maryland Public Broadcasting Commission, by Thomas J. Bohn, Vice President of Operations, and the Contract Lessee, American PCS, L.P., by Margaret C. Ruggieri, Esquire, through their attorney, G. Scott Barhight, Esquire. The Petitioners request a special exception to permit a wireless transmitting and receiving facility to be located on an existing tower on the subject property. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Greg Sarro, a representative of APC, L.P., Contract Lessee, Robert Morelock, Professional Engineer with Daft-McCune-Walker, Inc., who prepared the site plan for this project, Andrew Werchniak and Debbie Meaney, representatives of Moffit, Larson & Johnson, a site acquisition consulting firm, and David K. Gildea, Esquire, attorney for the Petitioners. There were no Protestants present.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

The subject Petition is another in a series of Petitions recently considered by this Zoning Commissioner on behalf of APC. As recounted in prior decisions of this office, APC is a communications company which is a new entrant in the field of wireless communications in the Baltimore-Washington demographic area. APC specializes in wireless communications, including telephone, facsimile, and computer transmissions. The company employs a state-of-the-art technology to serve its clientele. One of the features of the company's communications network is the ability of mobile users to utilize the company's services. In order to provide such service, the company is establishing a grid of inter-connecting wireless facilities. Each grid serves a specific geographic area. As a user passes from one geographic area to another adjoining area, his transmission is handed off from one facility to the next. In order to establish this capability, the company must install its wireless transmitting and receiving antennae in select areas to insure a continuous and unbroken line of communication. At the subject site, the Petitioner proposes to install its antennae on an existing tower owned by the State of Maryland and leased by the Maryland Public Broadcasting Commission. This tower is 653'7" in height and is located atop the existing one-story building which houses the Maryland Educational Television Center on land zoned D.R.2. The Petitioners propose to install six panel antennae on the tower at a height above ground level of approximately 200 feet, roughly 1/3 the height of the tower. The antennae will be situated on the tower so as to provide service in a 360 degree range to the surrounding grid. These antennae are 53.3 inches tall, 6.3 inches wide, and 2.7 inches deep. Two small equipment cabinets will be installed at the base of the tower to

ORDER RECEIVED FOR FILING

Date

By

provide electrical service and equipment to the antennae. The facility will be unmanned but for routine maintenance inspections.

Testimony received from Mr. Gregory Sarro of APC fully described the general and site specific details of APC's operation. He noted that the company has been in business for approximately six years and is duly licensed by the Federal Communications Commission (FCC). Mr. Sarro described the interlocking grid system as set forth above. He noted that each grid will cover an area approximately five miles in radius, and that a facility is needed in the Owings Mills area in the vicinity of the subject site. He also noted that the antennae fully comply with all FCC safety standards and guidelines. Specifically, there will be no interference with microwave, radio, television, or other transmissions and there is no danger to the public health, welfare, or safety.

A packet of information was submitted and marked into evidence as Petitioner's Exhibit 3, which fully depicts the antennae and contains photographs of the existing tower on this site. An environmental effects statement was also received (Petitioner's Exhibit 2) which concludes that there will be no detrimental effect upon the surrounding locale.

Wireless transmitting and receiving facilities are permitted in a D.R.2 zone by special exception. Moreover, the B.C.Z.R. encourage industries in this field to utilize existing towers. The installation of antennae on existing buildings and towers minimizes the construction of unsightly monopoles throughout the skyline of Baltimore County.

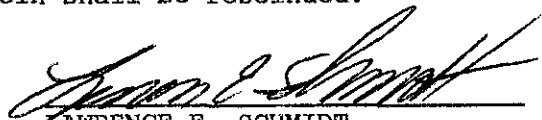
After due consideration of the testimony and evidence presented, it is clear that the proposed wireless transmitting and receiving facility at the subject location will not be detrimental to the health, safety or general welfare of the community. The evidence was overwhelming to sup-

port a finding that the inherent effects of the proposed facility are no greater at this location than if the facility was located elsewhere within the zone. It is clear that the Petitioner has satisfied the requirements of Section 502.1 of the B.C.Z.R. and that the Petition for Special Exception should be granted. See Schultz v. Pritts, 291, Md. 1 (1971).

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the special exception should be granted.

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of November, 1995 that the Petition for Special Exception to permit a wireless transmitting and receiving facility to be located on an existing tower on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

MICROFILMED

ORDER RECEIVED FOR FILING  
Date 11/2/95  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

November 2, 1995

G. Scott Barhight, Esquire  
David K. Gildea, Esquire  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION  
E/S Owings Mills Boulevard, S of Ashley Way  
(11767 Owings Mills Boulevard)  
4th Election District - 4th Councilmanic District  
State of Maryland, Maryland Public Broadcasting Commission, Owners;  
and American PCS, L.P., Contract Lessee - Petitioners  
Case No. 96-86-X

Dear Messrs. Barhight & Gildea:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Thomas J. Bohn, Vice President, Operations,  
Maryland Public Broadcasting Commission,  
11767 Owings Mills Blvd., Owings Mills, Md. 21117

Margaret C. Ruggieri, Esquire, American PCS, L.P.  
One Democracy Ctr., 6901 Rockledge Drive, Bethesda, Md. 20817

People's Counsel; Case File

MICROFILMED





# Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 11767 Owings Mills Boulevard, Owings Mills, MD

96-86-X

which is presently zoned D.R. 2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Wireless Transmitting and Receiving Facility.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Margaret C. Ruggieri, Esq.  
For American PCS, L.P.

(Type or Print Name)

M. Ruggieri

Signature

One Democracy Center  
6901 Rockledge Drive

Address

Bethesda, MD 20817

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight, Esq.

(Type or Print Name)

G. Scott Barhight / ckmcs

Signature

c/o Whiteford, Taylor & Preston

210 W. Pennsylvania Avenue

832-2000

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

State of Maryland,  
Maryland Public Broadcasting Commission

(Type or Print Name)

Thomas J. Bohn

Signature Thomas J. Bohn, VP, Operations

(Type or Print Name)

Signature

Address

Phone No.

11767 Owings Mills Boulevard, 21117 356-5600

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser, or representative to be contacted.

G. Scott Barhight, Esq. c/o Whiteford, Taylor & Preston

Name

210 W. Pennsylvania Avenue

Towson, MD 21204

832-2000

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL ☒ OTHER \_\_\_\_\_

REVIEWED BY: CAM DATE 24 Aug 95

Zoning Administration

& Development Management

ORDER RECEIVED FOR FILING

Date

By

90

Description

96-86-X

To Accompany Petition For Special Exception

0.21 Acre  $\pm$  Parcel

State of Maryland Property

South of Bonita Road and North of Gwynbrook Avenue

Fourth Election District

Baltimore County, Maryland

Beginning for the same at the intersection of Owings Mill Boulevard and Gwynbrook Avenue (22' R/W) at the end of the following 3 courses and distances, viz; (1) Easterly along the centerline of Gwynbrook Avenue and the existing Zoning line which separates the D.R. 2 Zone and the ML-IM Zone 2,050 feet  $\pm$ , thence leaving said centerline and running with the existing Zoning line which separates the D.R. 2 Zone and the D.R. 1 Zone (2) North 10 degrees 51 minutes 30 seconds West 1,840 feet  $\pm$ , thence leaving said existing Zoning line (3) South 59 degrees 28 minutes 30 seconds West 390 feet  $\pm$  to the point of beginning, thence leaving said point of beginning and running the four following courses and distances, viz; (1) South 59 degrees 28 minutes 30 seconds West 116.00 feet, thence (2) North 30 degrees 31 minutes 30 seconds West 77.00 feet, thence (3) North 59 degrees 28 minutes 30 seconds East 116.00 feet, thence (4) South 30 degrees 31 minutes 30 seconds East 77.00 feet to the point of beginning. Containing 0.21 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 21, 1995

Project No. 94123.74



96-86-X

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

District: Hob

Date of Posting: 9/22/95

Posted for: Special Exception

Petitioner: American PCS, L.P.

Location of property: 11767 Oldiges Mills Blvd.

Location of Signs: Facing roadway on property being zoned

Remarks: \_\_\_\_\_

Posted by

W. Steady  
Signature

Date of return:

Number of Signs:

1





**NOTICE OF HEARING**  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:  
Case: #93-96-X (Item 90)  
11787 Owings Mills Boulevard  
2090' E - 1840' NW, 390' SW  
from Owings Mills Boulevard  
and Owings Mills Boulevard  
4th Election District  
3rd Councilman District  
**Legal Owner:**  
State of Maryland, Maryland Public Broadcasting Corporation  
**Petitioner/Lessee:**  
American PCS, L.P.  
Hearing: Thursday,  
October 12, 1995 at 9:00 a.m. in  
Rm. 118, Old Courthouse.  
**Special Exception** for a wireless transmitting and receiving facility.  
**LAWRENCE B. SCHMIDT**  
Zoning Commissioner for  
Baltimore County.  
**NOTES:** (1) Hearings are Handicapped Accessible; for special accommodations. Please Call 887-3353.  
(2) For information concerning the File and/or Hearing, Please Call 887-3391.  
9/178 Sept. 21.

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/29, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in **THE JEFFERSONIAN**, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/21, 1995.

**THE JEFFERSONIAN,**

*A. Henickson*

**LEGAL AD. - TOWSON**

**Publisher**

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

Item 90

DATE 24 Aug 95 ACCOUNT R-001-6150

96-86-X

AMOUNT \$ 335.00 CAN

RECEIVED FROM: AMERICAN PCS

FOR: CSPX 11767 Owings Hlms Blvd

01A01#0004MICHRC  
BA C003:14PM08-24-95

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

Item 90 107811

DATE 24 Aug 95 ACCOUNT R-001-6150

96-86-X

AMOUNT \$ 335.00 CAN

RECEIVED FROM: AMERICAN PCS

FOR: CSPX 11767 Owings Hlms Blvd

01A01#0004MICHRC  
BA C003:14PM08-24-95

\$ 335.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

TO: PUTUXENT PUBLISHING COMPANY  
September 11, 1995 Issue - Jeffersonian

Please forward billing to:

Margaret C. Ruggieri, Esq.  
American PCS, L.P.  
One Democracy Center #600  
6901 Rockledge Drive  
Bethesda, MD 20817  
310-214-9283

---

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-86-X (Item 90)  
11767 Owings Mills Boulevard  
2050' E, 1840' NW, 390' SW from c/l Owings Mills Boulevard and Gwynbrook Avenue  
4th Election District - 3rd Councilmanic  
Legal Owner: State of Maryland, Maryland Public Broadcasting Corporation  
Petitioner/Lessee: American PCS, L.P.  
HEARING: THURSDAY, OCTOBER 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

2000-09-11 11:11:11



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 11, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-86-X (Item 90)  
11767 Owings Mills Boulevard  
2050' E, 1840' NW, 390' SW from c/l Owings Mills Boulevard and Gwynbrook Avenue  
4th Election District - 3rd Councilmanic  
Legal Owner: State of Maryland, Maryland Public Broadcasting Corporation  
Petitioner/Lessee: American PCS, L.P.  
HEARING: THURSDAY, OCTOBER 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Maryland Public Broadcasting Commission  
American PCS, L.P.  
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 5, 1995

G. Scott Barhight, Esquire  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No.: 90  
Case No.: 96-86-X  
Petitioner: Md. Public  
Broadcasting Comm.

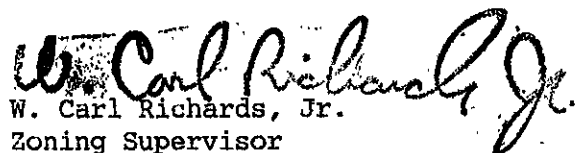
Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 24, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: Sept. 15, 1995  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for September 11, 1995  
Items 082, 083, 084, 088, 090, and 091 5

The Development Plans Review Division has reviewed  
the subject zoning items and we have no comments.

RWB:sw

MICROFILMED



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoﬀ  
Administrator

9-12-95

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No.

090 (CAM)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED  
SEP 13 1995

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 1, 1995

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 65, 66, 67, 68, 70, 75, 76, 79, 82, 85, 86, 88, 90, and 91<sup>13</sup>

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Carol Kerns*

PK/JL



Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/02/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF SEPT. 5, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

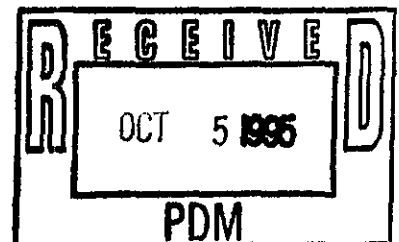
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 81, 82, 83, 84, 85, 86, 87, 88,  
90, 91 AND 92. *A*

*MICROFILMED*

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



## PETITION PROBLEMS

### #86 --- JLL

1. Need authorization for person signing for contract purchaser.

### #88 --- JLL

1. Notary section is incomplete.

### #89 --- CAM

1. Need authorization for person signing for legal owner.

### #90 --- CAM /

1. Need authorization for person signing for contract purchaser.
2. Who signed for attorney?

MICROFILMED

96-86X

AFFIDAVIT

October 12, 1995

WE, the residents of the Ashton Hills community, strongly object to the plans of Maryland Public Television, to place any and all additional devices on their television tower located on Owings Mills Boulevard. The sole original purpose of the grant of zoning for the erection of a tower on said property was for its use as a television transmitting device. The requested addition to the tower is not for that purpose and is a non-conforming use not compatible with the now present adjacent neighborhoods. Said additional devices are unsightly, have questionable health and safety risks and open the door for a mass of additional devices not originally envisioned by the initial zoning.

Signed:

Ralph H

Ellen Savap

Julie Gork

Alexis Mezgish

Steven M. Mezgish

Jacqueline Mier MD.

Sally Parsons

Al Sherr

Elizabeth Shepin

Jim Cde

Elmer Caplan

Arline Fox

Arline Fox

Arline Fox

Arline Fox

Lee D Caplan

NOTED TO BE

# Environmental Impact Statement

## Gwynnbrook at Garrison Road American PCS Site

October 1995

Project No. 94123.74

*Prepared for:*

**American PCS, L.P.**

One Democracy Center

Suite 600

6901 Rockledge Drive

Bethesda, MD 20817

**PETITIONER'S  
EXHIBIT** *no 2*

**DMW**

*Prepared by:*

**Daft-McCune-Walker, Inc.**

200 East Pennsylvania Avenue

Towson, Maryland 21286

**MICROFILMED**



**American Personal  
Communications**

**PETITIONER'S  
EXHIBIT** No 3

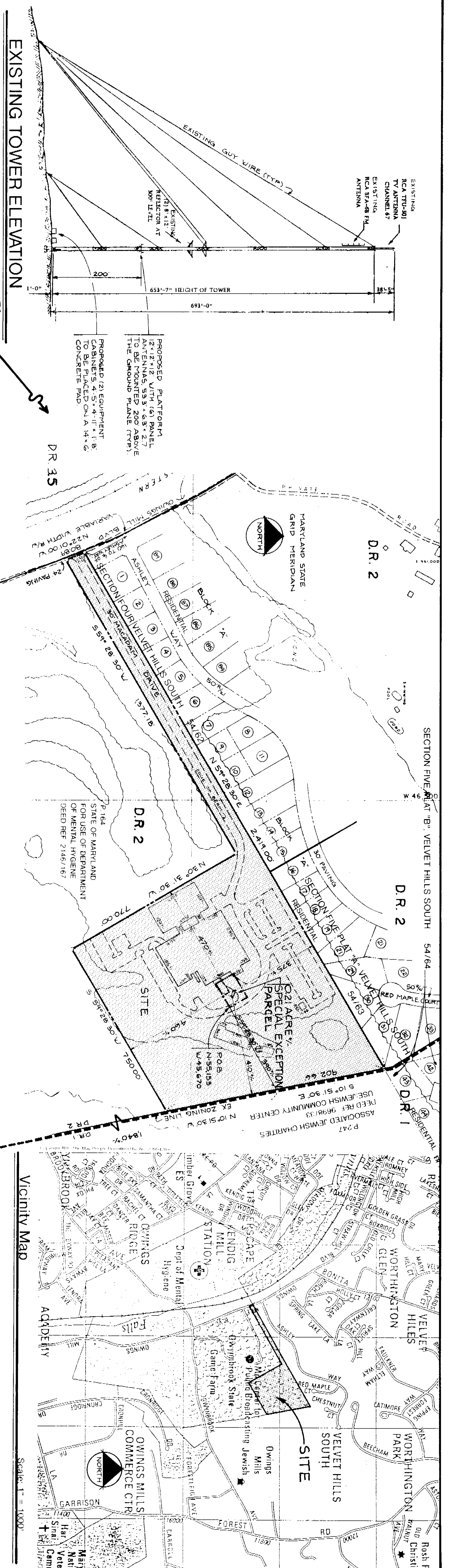
Case No: 96-83-X, Item No. 75  
Case No: 96-84-X, Item No. 76  
Case No: 96-86-X, Item No. 90

**AMERICAN PERSONAL COMMUNICATIONS (APC)  
HEARING BEFORE THE BALTIMORE COUNTY  
ZONING COMMISSIONER  
October 12, 1995**

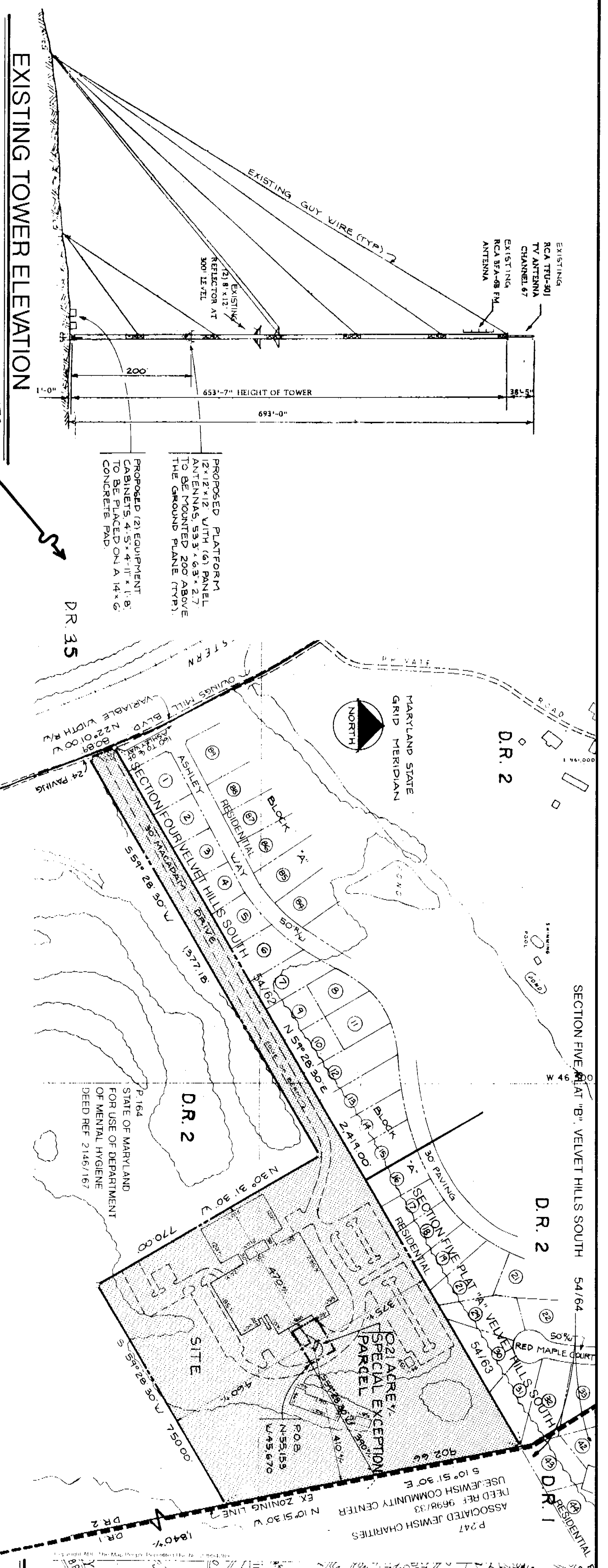
**TABLE OF CONTENTS**

1. Photographs of 7620 York Rd.
2. Lease Agreement with St. Joseph Medical Center Inc.
3. Photographs of 2300 Dulaney Valley Road
4. Lease Agreement with Cardinal Shehan Center Inc.
5. Photographs of 11767 Owings Mills Boulevard
6. Photographs and Specification Sheets for Antennas
7. Photograph and Specification Sheets for Equipment Cabinets
8. FCC License
9. FCC Adopts ANSI EMF Regulations
10. Radio Frequency Statement - Jules Cohen
11. FCC Statement on PCS - Creating Significant Benefits for Consumers and Business
12. FCC's Chairman, Reed Hundt, Speech Excerpts

*Handwritten signature or initials*

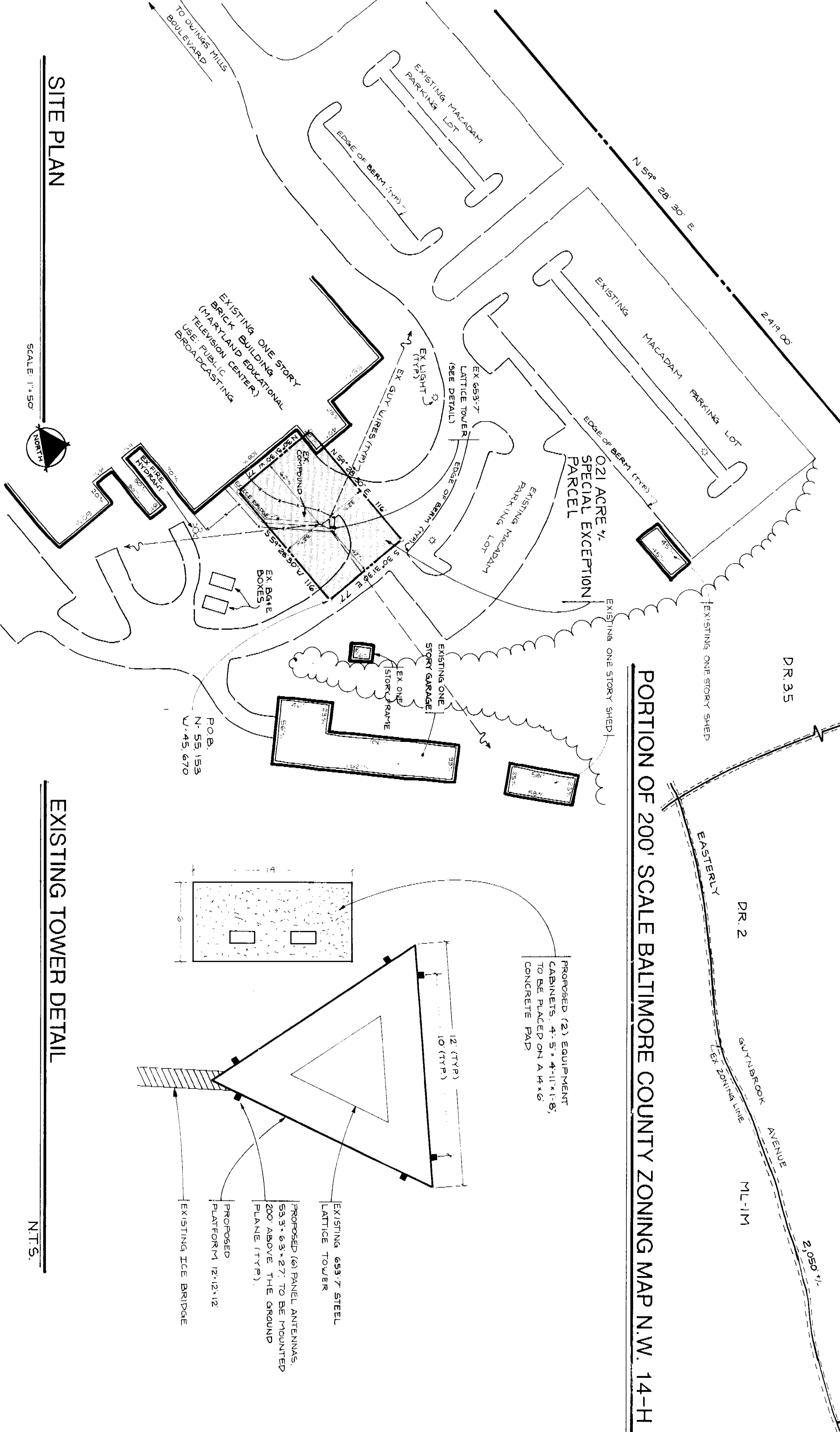


Vicinity Map  
Scale: 1" = 1000'



PROPOSED PLATFORM  
12'x12' WITH (6) PANEL  
ANTENNAS 53.3'x6.3'x2.7'  
TO BE MOUNTED 200' ABOVE  
THE GROUND PLANE (TYP.)  
PROPOSED (2) EQUIPMENT  
CABINETS 4.5'x4.1'x1.8'  
TO BE PLACED ON A 14'x6'  
CONCRETE PAD

PORTION OF 200' SCALE BALTIMORE COUNTY ZONING MAP N.W. 14-H



SITE PLAN

SCALE: 1" = 50'

EXISTING TOWER DETAIL

N.T.S.

- NOTES
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  2. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  3. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  4. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  5. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  6. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  7. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  8. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  9. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  10. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  11. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  12. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  13. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  14. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  15. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  16. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  17. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  18. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  19. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  20. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  21. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.
  22. THE PROPOSED TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BALTIMORE COUNTY ZONING MAP N.W. 14-H.

**PETITIONER'S EXHIBIT No. 1**

**AMERICAN PERSONAL COMMUNICATIONS**  
Site Plan to Accompany petition for Special Exception

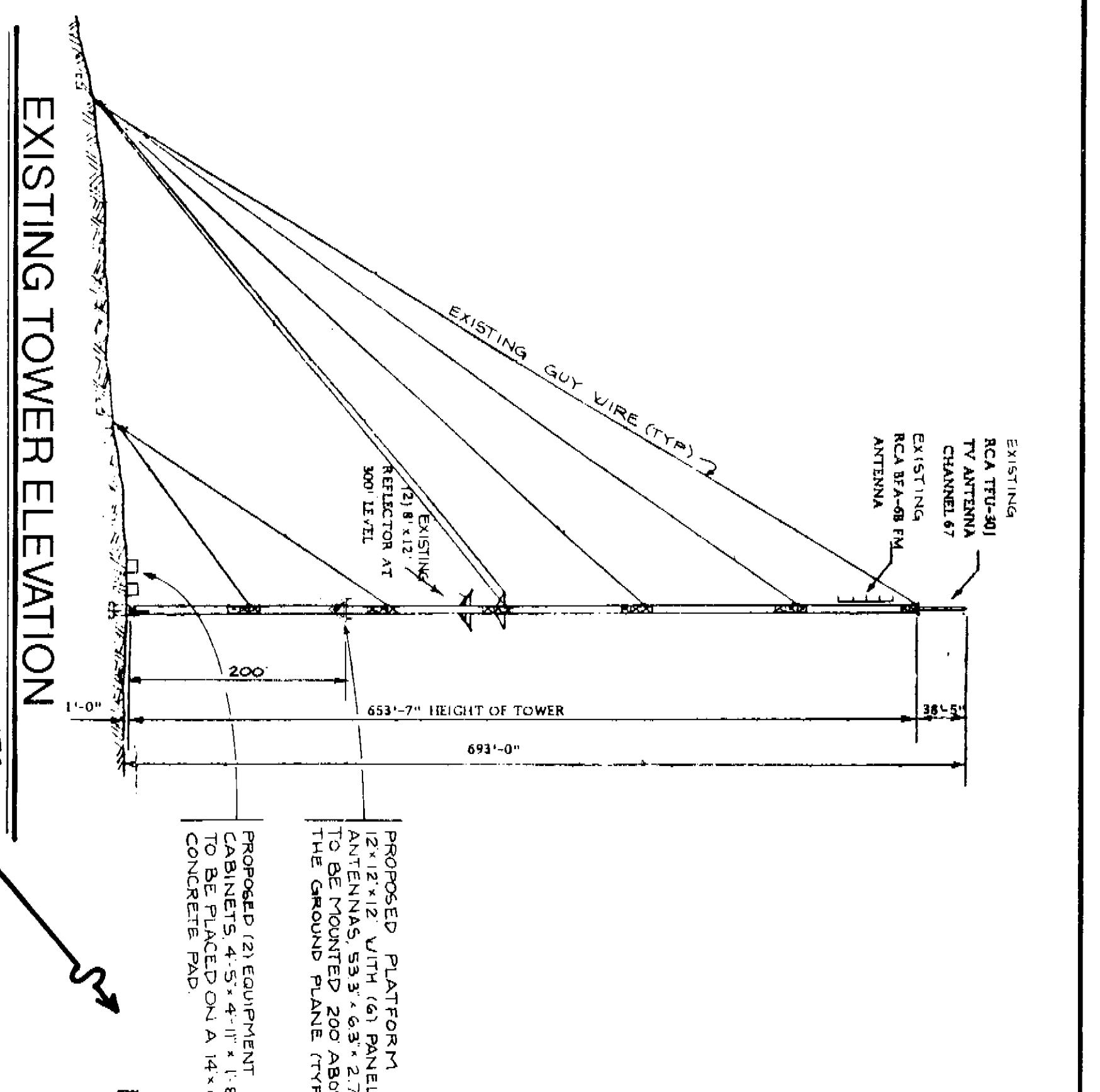
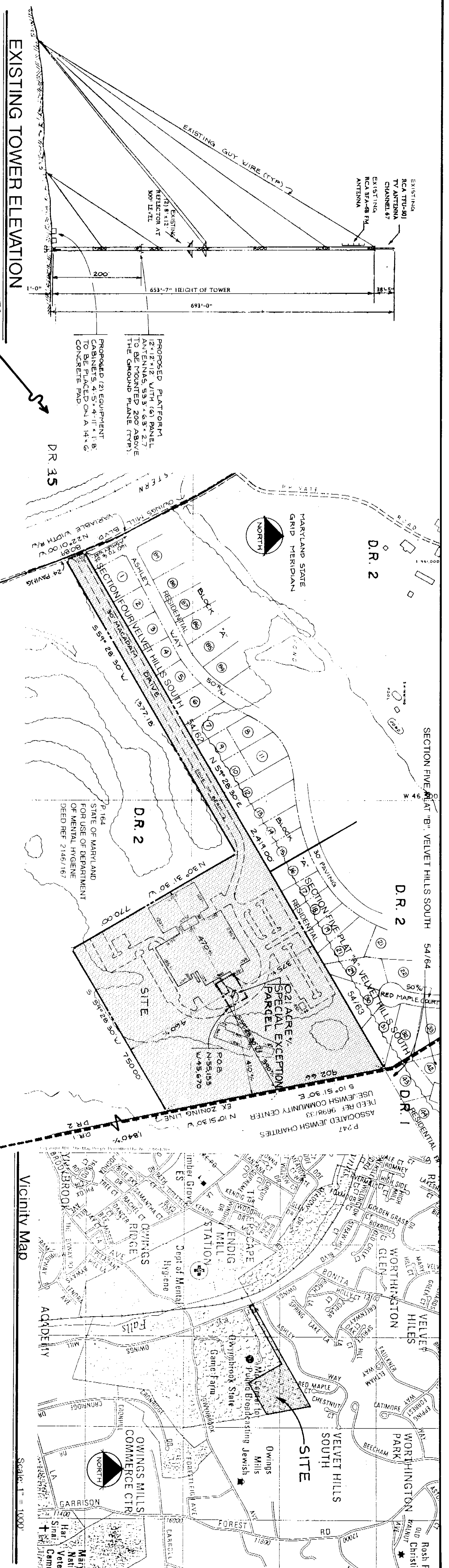
**Gwynbrook at Garrison Road BAN 125A**

No.	Description	Date
1	PROJ. No.	94123/74
2	Date	08/08/95
3	Scale	as shown
4	Last Rev.	

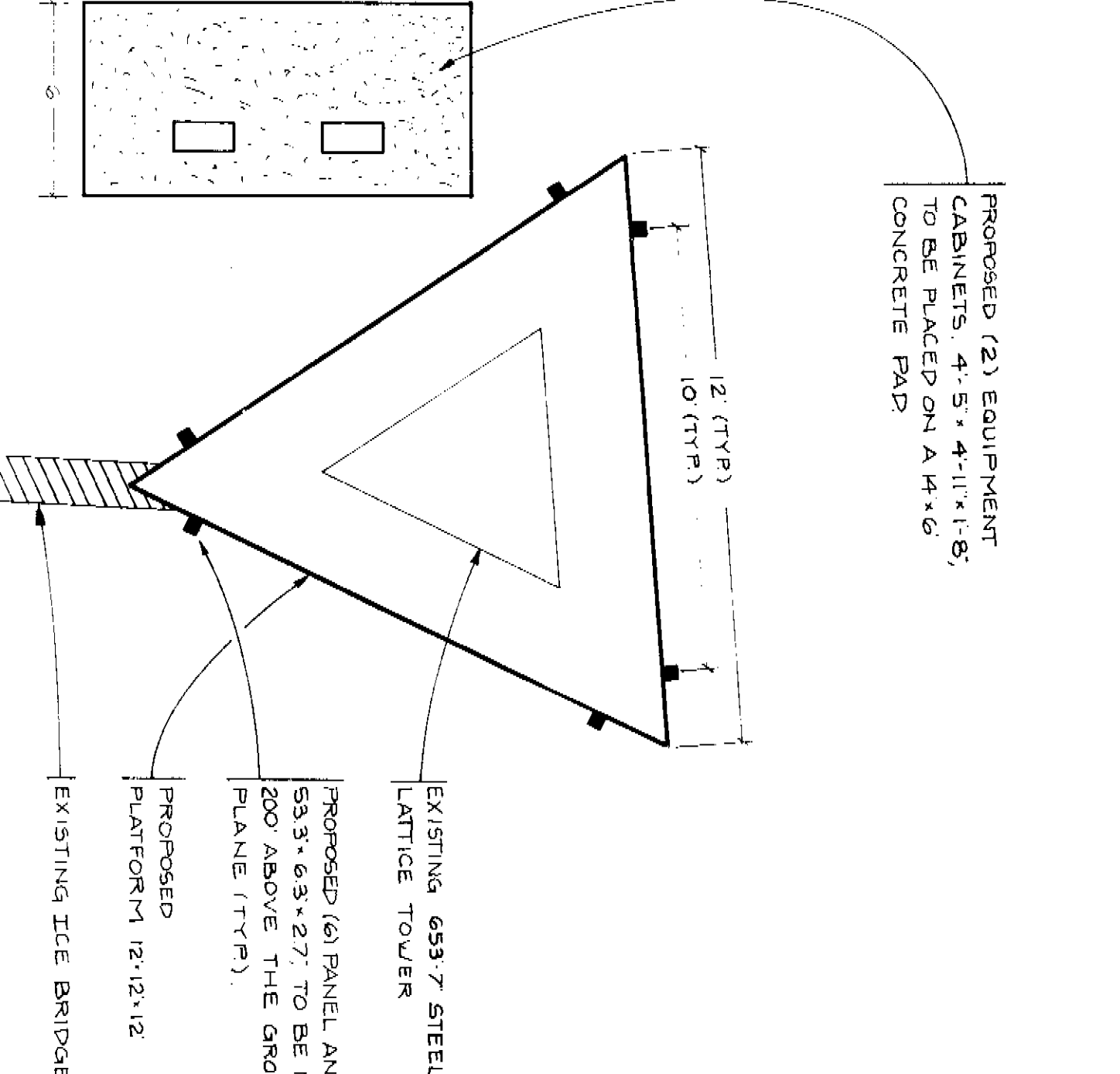
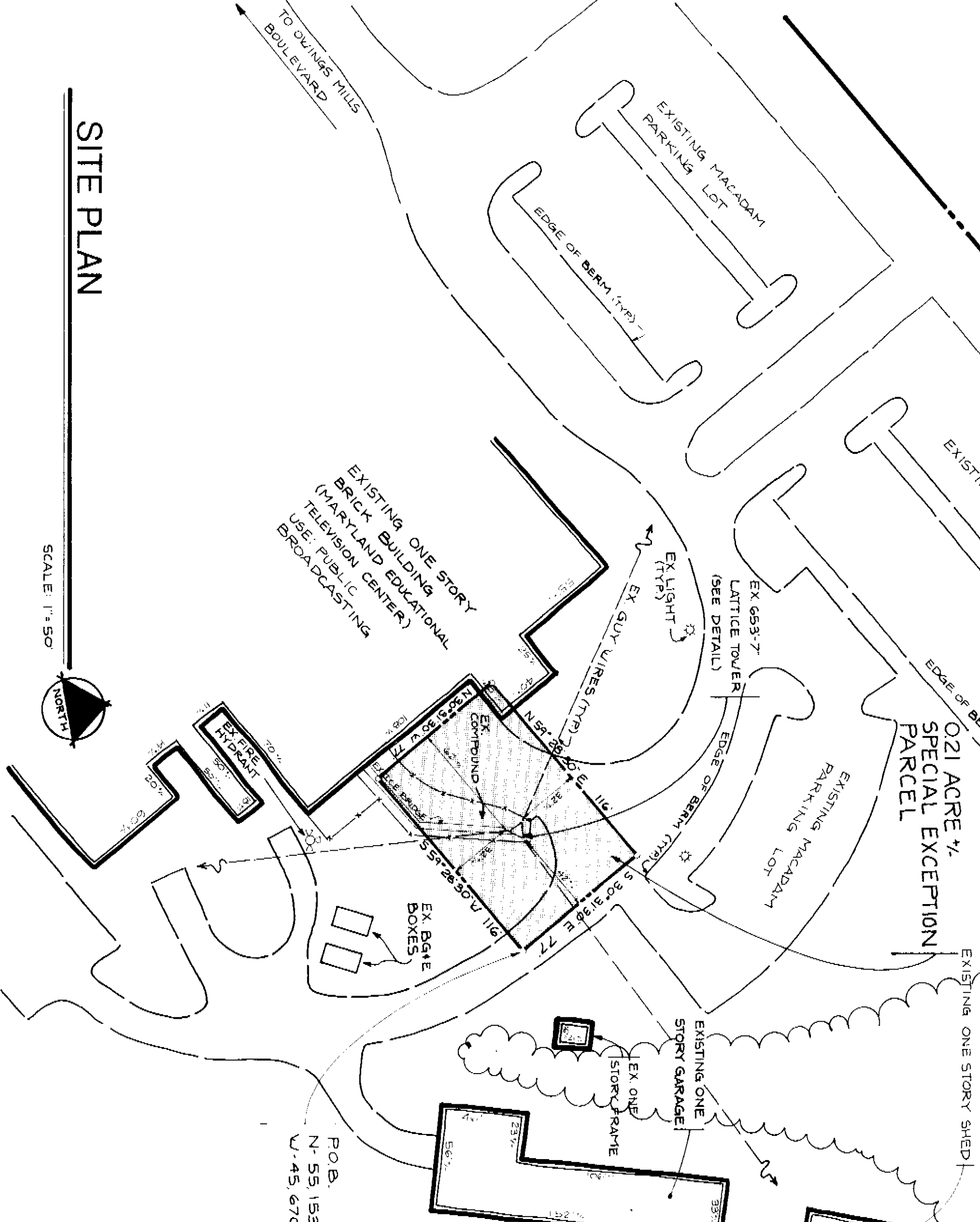
1 of 1

98





PORTION OF 200' SCALE BALTIMORE COUNTY ZONING MAP N.W. 14-H



PROPOSED (2) EQUIPMENT CABINETS, 4'-5" x 4'-11" x 1'-8", TO BE PLACED ON A 14' x 6' CONCRETE PAD

NOTES

1. SEE SHEET 2 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
2. GUY WIRE TOWER, 653.7' TALL, 12" DIA. STEEL, 12" DIA. BASE, 12" DIA. TOP.
3. SEE SHEET 3 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
4. SEE SHEET 4 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
5. SEE SHEET 5 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
6. SEE SHEET 6 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
7. SEE SHEET 7 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
8. SEE SHEET 8 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
9. SEE SHEET 9 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
10. SEE SHEET 10 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
11. SEE SHEET 11 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
12. SEE SHEET 12 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
13. SEE SHEET 13 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
14. SEE SHEET 14 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
15. SEE SHEET 15 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
16. SEE SHEET 16 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
17. SEE SHEET 17 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
18. SEE SHEET 18 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
19. SEE SHEET 19 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
20. SEE SHEET 20 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
21. SEE SHEET 21 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.
22. SEE SHEET 22 FOR PROPOSED TOWER AND ANTENNA PLACEMENT.



IN RE: PETITION FOR SPECIAL EXCEPTION  
F/S Owings Mills Boulevard,  
S of Ashley Way  
(11767 Owings Mills Boulevard)  
4th Election District  
4th Councilmanic District

• BEFORE THE  
• ZONING COMMISSIONER  
• OF BALTIMORE COUNTY

Case No. 96-86-X  
State of Maryland, Maryland Public  
Broadcasting Commission, Owners;  
American PCS, L.P., Contract Lessee - Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for that property known as 11767 Owings Mills Boulevard, located in the vicinity of Gwynbrook Avenue in Owings Mills. The Petition was filed by the owner of the property, the State of Maryland, Maryland Public Broadcasting Commission, by Thomas J. Bohn, Vice President of Operations, and the Contract Lessee, American PCS, L.P., by Margaret C. Ruggieri, Esquire, through their attorney, G. Scott Barhight, Esquire. The Petitioners request a special exception to permit a wireless transmitting and receiving facility to be located on an existing tower on the subject property. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Greg Sarro, a representative of APC, L.P., Contract Lessee, Robert Morelock, Professional Engineer with Deft-McCune-Walker, Inc., who prepared the site plan for this project, Andrew Werschneck and Debbie Meaney, representatives of Moffit, Larson & Johnson, a site acquisition consulting firm, and David K. Gildea, Esquire, attorney for the Petitioners. There were no Pro-Se parties present.

The subject Petition is another in a series of Petitions recently considered by this Zoning Commissioner on behalf of APC. As recounted in prior decisions of this office, APC is a communications company which is a new entrant in the field of wireless communications in the Baltimore-Washington demographic area. APC specializes in wireless communications, including telephone, facsimile, and computer transmissions. The company employs a state-of-the-art technology to serve its clientele. One of the features of the company's communications network is the ability of mobile users to utilize the company's services. In order to provide such service, the company is establishing a grid of inter-connecting wireless facilities. Each grid serves a specific geographic area. As a user passes from one geographic area to another adjoining area, his transmission is handed off from one facility to the next. In order to establish this capability, the company must install its wireless transmitting and receiving antennae in select areas to insure a continuous and unbroken line of communication. At the subject site, the Petitioner proposes to install its antennae on an existing tower owned by the State of Maryland and leased by the Maryland Public Broadcasting Commission. This tower is 653'7" in height and is located atop the existing one-story building which houses the Maryland Educational Television Center on land zoned D.R.2. The Petitioners propose to install six panel antennae on the tower at a height above ground level of approximately 200 feet, roughly 1/3 the height of the tower. The antennae will be situated on the tower so as to provide service in a 360 degree range to the surrounding grid. These antennae are 53.3 inches tall, 6.3 inches wide, and 2.7 inches deep. Two small equipment cabinets will be installed at the base of the tower to

provide electrical service and equipment to the antennae. The facility will be unmanned but for routine maintenance inspections.

Testimony received from Mr. Gregory Sarro of APC fully described the general and site specific details of APC's operation. He noted that the company has been in business for approximately six years and is duly licensed by the Federal Communications Commission (FCC). Mr. Sarro described the interlocking grid system as set forth above. He noted that each grid will cover an area approximately five miles in radius, and that a facility is needed in the Owings Mills area in the vicinity of the subject site. He also noted that the antennae fully comply with all FCC safety standards and guidelines. Specifically, there will be no interference with microwave, radio, television, or other transmissions and there is no danger to the public health, welfare, or safety.

A packet of information was submitted and marked into evidence as Petitioner's Exhibit 3, which fully depicts the antennae and contains photographs of the existing tower on this site. An environmental effects statement was also received (Petitioner's Exhibit 2) which concludes that there will be no detrimental effect upon the surrounding locale.

Wireless transmitting and receiving facilities are permitted in a D.R.2 zone by special exception. Moreover, the B.C.Z.R. encourage industries in this field to utilize existing towers. The installation of antennae on existing buildings and towers minimizes the construction of unsightly monopoles throughout the skyline of Baltimore County.

After due consideration of the testimony and evidence presented, it is clear that the proposed wireless transmitting and receiving facility at the subject location will not be detrimental to the health, safety or general welfare of the community. The evidence was overwhelming to sup-

port a finding that the inherent effects of the proposed facility are no greater at this location than if the facility was located elsewhere within the zone. It is clear that the Petitioner has satisfied the requirements of Section 502.1 of the B.C.Z.R. and that the Petition for Special Exception should be granted. See *Schultz v. Pritts*, 291 Md. 1 (1971).

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth above, the special exception should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of November, 1995 that the Petition for Special Exception to permit a wireless transmitting and receiving facility to be located on an existing tower on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 60-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 11/21/95  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 11/21/95  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 11/21/95  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 11/21/95  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

November 2, 1995

(410) 887-4386

G. Scott Barhight, Esquire  
David K. Gildea, Esquire  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION  
E/S Owings Mills Boulevard, S of Ashley Way  
(11767 Owings Mills Boulevard)  
4th Election District - 4th Councilmanic District  
State of Maryland, Maryland Public Broadcasting Commission, Owners;  
and American PCS, L.P., Contract Lessee - Petitioners  
Case No. 96-86-X

Dear Messrs. Barhight & Gildea:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

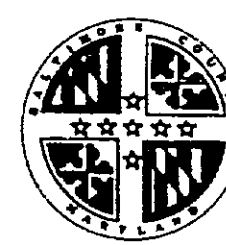
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Thomas J. Bohn, Vice President, Operations,  
Maryland Public Broadcasting Commission,  
11767 Owings Mills Blvd., Owings Mills, Md. 21117

Margaret C. Ruggieri, Esquire, American PCS, L.P.,  
One Democracy Ctr., 6901 Rockledge Drive, Bethesda, Md. 20817

People's Counsel; Case File



## Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 11767 Owings Mills Boulevard, Owings Mills, MD  
which is presently zoned D.R.2

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

Wireless Transmitting and Receiving Facility.

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner  
Margaret C. Ruggieri, Esq.  
For American PCS, L.P.  
(Type or Print Name)  
[Signature]  
One Democracy Center  
6901 Rockledge Drive  
Bethesda, MD 20817  
City State Zipcode

Attorney for Petitioner:  
G. Scott Barhight, Esq.  
(Type or Print Name)  
[Signature]  
c/o Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, MD 21204  
City State Zipcode

Legal Owner(s)  
State of Maryland,  
Maryland Public Broadcasting Commission  
(Type or Print Name)  
[Signature]  
Thomas J. Bohn, VP, Operations  
(Type or Print Name)  
[Signature]

Address (Phone No.)  
11767 Owings Mills Boulevard, 21117 356-5600  
City State Zipcode  
Name, Address and phone number of legal owner, contract purchaser, or representative to be contacted.  
G. Scott Barhight, Esq. c/o Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, MD 21204 832-2000  
City State Zipcode

ESTIMATED LENGTH OF HEARING (minutes for hearing)  
We following dates: Next Two Months  
ALL OTHERS  
RECEIVED BY: [Signature] DATE: 24 Aug 95  
90

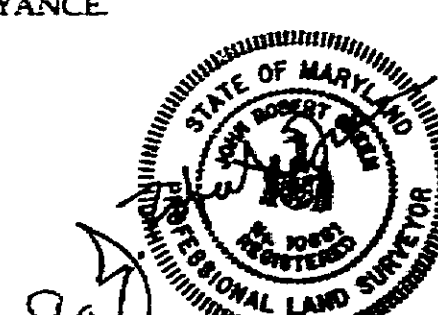
ORDER RECEIVED FOR FILING  
Date 11/21/95  
By [Signature]

Description 96-86-X  
To Accompany Petition For Special Exception  
0.21 Acre ± Parcel  
State of Maryland Property  
South of Bonita Road and North of Gwynbrook Avenue  
Fourth Election District  
Baltimore County, Maryland

Beginning for the same at the intersection of Owings Mill Boulevard and Gwynbrook Avenue (22' R/W) at the end of the following 3 courses and distances, viz: (1) Easterly along the centerline of Gwynbrook Avenue and the existing Zoning line which separates the D.R. 2 Zone and the ML-IM Zone 2,050 feet ±, thence leaving said centerline and running with the existing Zoning line which separates the D.R. 2 Zone and the D.R. 1 Zone (2) North 10 degrees 31 minutes 30 seconds West 1,840 feet ±, thence leaving said existing Zoning line (3) South 59 degrees 28 minutes 30 seconds West 390 feet ± to the point of beginning, thence leaving said point of beginning and running the four following courses and distances, viz: (1) South 59 degrees 28 minutes 30 seconds West 116.00 feet, thence (2) North 30 degrees 31 minutes 30 seconds West 77.00 feet, thence (3) North 59 degrees 28 minutes 30 seconds East 116.00 feet, thence (4) South 30 degrees 31 minutes 30 seconds East 77.00 feet to the point of beginning. Containing 0.21 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 21, 1995  
Project No. 94123.74



## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th Date of Posting: 9/12/95  
Posted for: Special Exception  
Petitioner: American PCS, L.P.  
Location of property: 11767 Owings Mills Blvd.  
Location of Sign: [Signature]  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 9/29/95  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/29, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/21, 1995.

THE JEFFERSONIAN,  
A. Henkelson  
LEGAL AD. - TOWSON

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning and Planning Board of Baltimore County, will hold a public hearing on the proposed Special Exception, at the County Office Building, 111 W. Calverton Avenue, Towson, Maryland 21204, on the 21st day of August, 1995, at 10:00 A.M. The hearing will be held in Room 200 of the County Office Building, 111 W. Calverton Avenue, Towson, Maryland 21204.  
Legal Owner: State of Maryland, Maryland Public Broadcasting Commission  
Petitioner: American PCS, L.P.  
Address: 11767 Owings Mills Boulevard, Towson, MD 21204  
Phone: 356-5600  
Board of Appeals: By a vote of 4-0, the Board of Appeals has granted the Special Exception.  
1. LAWRENCE E. SCHMIDT, Zoning Commissioner  
2. [Signature], Board of Appeals  
3. [Signature], Board of Appeals  
4. [Signature], Board of Appeals  
5. [Signature], Board of Appeals  
6. [Signature], Board of Appeals  
7. [Signature], Board of Appeals  
8. [Signature], Board of Appeals  
9. [Signature], Board of Appeals  
10. [Signature], Board of Appeals



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 9-14-95 ACCOUNT: 96-86-X

RECEIVED FROM: American PCS

AMOUNT: \$ 335

FOR: 11767 Owings Mills

VALIDATION OR SIGNATURE OF CASHIER

TO: POTUMET PUBLISHING COMPANY  
September 11, 1995 Issue - Jeffersonian

Please forward billing to:

Margaret C. Ruggieri, Esq.  
American PCS, L.P.  
One Democracy Center #600  
6901 Rockledge Drive  
Beltsville, MD 20817  
310-214-9283

NOTICE OF HEARING

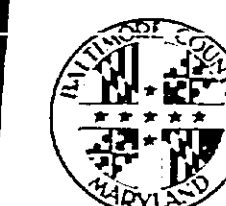
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-86-X (Item 90)  
11767 Owings Mills Boulevard  
2050' E, 1840' W, 390' SW from c/l Owings Mills Boulevard and Gwynbrook Avenue  
4th Election District - 3rd Councilmanic  
Legal Owner: State of Maryland, Maryland Public Broadcasting Corporation  
Petitioner/Lessee: American PCS, L.P.  
HEARING: THURSDAY, OCTOBER 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 11, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-86-X (Item 90)  
11767 Owings Mills Boulevard  
2050' E, 1840' W, 390' SW from c/l Owings Mills Boulevard and Gwynbrook Avenue  
4th Election District - 3rd Councilmanic  
Legal Owner: State of Maryland, Maryland Public Broadcasting Corporation  
Petitioner/Lessee: American PCS, L.P.  
HEARING: THURSDAY, OCTOBER 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving facility.

Carl Jablon

Arnold Jablon  
Director

cc: Maryland Public Broadcasting Commission  
American PCS, L.P.  
G. Scott Barhight, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 5, 1995

G. Scott Barhight, Esquire  
Whiteford, Taylor & Preston  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No.: 90  
Case No.: 96-86-X  
Petitioner: Md. Public  
Broadcasting Comm.

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 24, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Sept. 15, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for September 11, 1995  
Items 082, 083, 084, 088, 090, and 091

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw



David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 090 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 1, 1995

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 65, 66, 67, 68, 70, 75, 76, 79, 82, 85, 86, 88, 90, and 91

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long  
Division Chief: Carl Keller

PK/JL

ITEM62/PZONE/ZAC1

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/02/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF SEPT. 5, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Settlement:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

9. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 81, 82, 83, 84, 85, 86, 87, 88, 89, 91 AND 92.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

